

Panaji, 22nd September, 1983 (Bhadra 31, 1905)

SERIES I No. 25

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Local Administration and Welfare Department

ORDER

RDD/VPT/Amendment/184/73-76

In exercise of powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955) read with the Order of the Government of India No. G. S. R. 906 dated the 9th June, 1966 and with the prior concurrence of the Government of India, the ex-mills prices of wheat products produced by the Roller Flour Mills in the Union Territory of Goa, Daman and Diu should not exceed the maximum limits given below, with immediate effect.

Name of the product	Price per quintal
Maida	Rs. 280-00
Suji (Rawa).....	Rs. 283-33
Resultant Atta	Rs. 188-80
Bran	Rs. 121-00

A. V. Pimenta, Under Secretary (Revenue).

Panaji, 2nd September, 1983.

Notification

RDD/VPT/Amendment/184/73-76

In exercise of the powers conferred by sub-section (4) of Section 9 read with Section 65 of the Goa, Daman and Diu Village Panchayats Regulation 1962 (9 of 1962), the Lieutenant Governor of Goa, Daman & Diu hereby makes the following rules namely:

1. *Short title and commencement.* — These rules may be called the Goa, Daman and Diu Village Panchayats (reconstitution and disposal of assets and liabilities) Rules 1983.

(2) They shall come into force at once.

2. *Distribution of assets and liabilities.* — (1) In case of amalgamation of two or more Panchayats into one all the assets and liabilities of such Panchayats shall stand transferred to the newly amalgamated Panchayat.

(2) In case of constitution of two or more Panchayats out of one Panchayat, the following consequences shall ensue, namely: —

(a) The furniture and other movable property of the original Panchayat shall belong to that Panchayat whose Office is located in the place where the office of the original Panchayat was located.

(b) the funds of the original Panchayat on account of transfer of fund of Junta Local shall be transferred to the newly constituted Panchayat comprising the area of 'Junta Local' after deducting the expenditure, if any, incurred out of the aforesaid fund, by the original Panchayat towards the development of the area falling within the newly constituted Panchayat.

Explanation: — The expression 'Junta Local' in this clause shall mean 'Junta de Freguesia' as defined under the Portaria No. 7575 dated 23-7-1959.

(c) The amount of taxes/fees collected by the original Panchayat, after deduction of the expenditure already incurred, if any by the original Panchayat shall be distributed to the newly constituted Panchayats in proportion to the amount of taxes/fees collected by the original Panchayat from the areas falling within the local limits of newly constituted Panchayats, during the year immediately prior to the bifurcation of original Panchayat. The amount of areas of taxes/fees due to the original Panchayat from the areas of the newly constituted Panchayat shall be collected by the Panchayat within whose local limits such areas fall.

(d) The matching grants given by the Government to the original Panchayat immediately prior to its reconstitution, shall be distributed after deducting the expenditure, if any incurred by the said Panchayat out of such grants, to the newly constituted Panchayats in proportion to the amount of taxes (to which the matching grants relate) collected by the original Panchayat from the areas falling within the local limits of the newly constituted Panchayats.

(e) Grants given to the original Panchayat for a specific scheme shall be transferred to such newly constituted Panchayat, within whose jurisdiction the scheme is under implementation or was meant to be implemented. Provided that, in case the scheme (such as construction of a road) under implementation or to be implemented falls within the jurisdiction of two or more newly cons-

stituted Panchayats, the grant shall be so divided among such new Panchayats so as to correspond to the cost of such portion of the scheme as may fall within the jurisdiction of the respective Panchayats.

Provided further that in case the scheme (such as construction of a building or well a part of which falls within the jurisdiction of another newly constituted Panchayat) is such that its cost cannot be apportioned between two or more newly constituted Panchayats, the Collector of Goa, the Collector of Daman and Civil Administrator Diu as the case may be shall decide as to which newly constituted Panchayat should retain and utilise the grant given for such scheme and his decision shall be final.

(f) The immovable property forming part of one Village Panchayat which is subsequently bifurcated into two or more Panchayats or the limits of one Village Panchayat are included into the other Village Panchayat or vice versa shall stand transferred to the Village Panchayat within whose area the immovable property is situated.

3. *Transfer of assets and liabilities in case of transfer of areas.* — The manner prescribed in rule 2 shall mutatis mutandis apply in case of transfer of an area from one Panchayat to another.

4. *Disposal of assets and liabilities in other cases.* — (1) In case any Village Panchayat ceases to exist by reason of its inclusion in any Municipal or other local authority all its assets and liabilities shall stand transferred to such Municipality or local authority in which the local areas of such Village Panchayat is included and the immovable property and other developmental works undertaken by the ceasing village Panchayat in the area transferred shall belong to the Municipal Council or local Authority as per their location.

(2) In case a part of a Village Panchayat ceases to exist by reason of its inclusion in Municipal area and the other portion of Village Panchayat continues to be a Village Panchayat, the immovable property and other developmental works undertaken in the area transferred shall belong to Municipal Council and the furniture and other movable property as well as the immovable property and other developmental works undertaken in the area to be maintained as Village Panchayat shall belong to the Village Panchayat.

5. *Settlement of disputes.* — If any dispute arises regarding the reconstitution and disposal of assets and liabilities of the Village Panchayats the same shall be adjudicated by the Collector of Goa, Collector Daman and Civil Administrator Diu, within those jurisdiction the respective Village Panchayat is situated and his decision shall be final.

By order and in the name of the Administrator of Goa, Daman and Diu.

A. V. Pimenta, Under Secretary to the Govt. of Goa, Daman and Diu.

Panaji, 16th September, 1983.

Directorate of Civil Supplies and Price Control

ORDER

DCS/S-7-1/RC/Vol-3/83

1. In exercise of the powers conferred by clause 15(1)(c) read with clause 2(g) of the Goa, Daman and Diu Controlled Commodities (Regulation on Distribution) Order, 1966 the Director of Civil Supplies and Price Control, Panaji, hereby directs that no cultivator of paddy fields in the District of Goa shall obtain rice ration from the fair price shops on ration cards.

2. All the cultivators are hereby required to declare to the Talathi in their respective villages and to the Mamlatdar of the concerned Taluka in Municipal areas, the quantity of paddy produced by them indicating therein the name of the field, its location and area, and whether the field is of Khazan, Khar or Morod type of land.

3. At the time of the said declaration, the ration card shall be produced before the aforesaid officials in order to make necessary endorsement, thereon.

4. The cultivator will be entitled to obtain rationed rice on ration card only after exhausting his produce at the rate of 2.5 quintals of paddy per year for each member of his family and keeping aside 5% of the produce in case of Khazan/Khar lands and 8% in case of Morod land as seed requirements for the next season.

5. In case of any doubt regarding the declaration, the produce will be calculated by the Mamlatdar of respective Taluka as per the latest crop estimation survey available.

6. The declaration envisaged in para (2) of this Order shall be made henceforth as soon as the paddy is harvested and in any case within 48 hours from the time of harvest.

7. Failure on the part of the cultivator to comply with the aforesaid directions shall be punishable under Section 7 of the Essential Commodities Act, 1955 (Central Act, 10 of 1955) which envisages imprisonment for a term not less than 3 months and also a fine.

S. S. Sukhthamkar, Director of Civil Supplies & Price Control.

Panaji, 14th September, 1983.

Law Department (Legal Advice)

Drafting Section

Notification

LD/3/3/83-(D)

The following Act which passed by the Legislative Assembly of Goa, Daman and Diu on the 17th day of January, 1983 and assented to by the President of India on 29-8-1983 is hereby published for the general information of the public.

B. S. Subbanna, Under Secretary (Drafting) to the Government of Goa, Daman and Diu.

Panaji, 13th September, 1983.

The Goa, Daman and Diu Salaries and Allowances of Members
of the Legislative Assembly (Amendment) Act, 1983

(Act No. 8 of 1983)

AN

ACT

further to amend the Goa, Daman and Diu Salaries and Allowances of Members of the Legislative Assembly Act, 1964.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-third Year of the Republic of India as follows:

1. *Short title and commencement.*—(1) This Act may be called the Goa, Daman and Diu Salaries and Allowances of Members of the Legislative Assembly (Amendment) Act, 1983.

(2) It shall be deemed to have come into force on the 1st day of January, 1982, except section 6 which shall come into force at once.

2. In the Goa, Daman and Diu Salaries and Allowances of Members of the Legislative Assembly Act, 1964 (hereinafter referred to as the principal Act), in the long title, for the words "salaries and allowances", the words "salary, allowances and pension" shall be substituted. 2 of 1965

3. *Amendment of section 1.*—In section 1 of the principal Act, in sub-section (1), for the words "Salaries and Allowances", the words "Salary, Allowances and Pension" shall be substituted.

4. *Amendment of section 3.*—In section 3 of the principal Act, for the words "three hundred and fifty" and "twenty-five", the words "four hundred and fifty" and "thirty" shall, respectively, be substituted.

5. *Insertion of new section 3B.*—After section 3A, of the principal Act, the following section shall be inserted, namely:

"3B. *Pension.*—(1) With effect from the first day of January, 1982, there shall be paid a pension of two hundred rupees per mensem to every person who has served as a Member of the Legislative Assembly for a period of five years, whether continuous or not:

Provided that where any person has served as aforesaid for a period exceeding five years, there shall be paid to him an additional pension of fifty rupees per mensem for every year in excess of five, so, however in no case, the pension payable to such person shall exceed four hundred rupees per mensem.

(2) Where any person entitled to pension under sub-section (1),—

(i) is elected to the office of the President or Vice-President or is appointed to the office

of the Governor of any State or the Administrator of any Union territory, or

(ii) becomes a member of the Council of States or the House of the People or any Legislative Assembly of a State or Union territory or any Legislative Council of a State; or

(iii) is employed on a salary under the Central Government or any State Government, or any corporation owned or controlled by the Central Government or any State Government or any local authority or becomes otherwise entitled to any remuneration from such Government, corporation or local authority,

such person shall not be entitled to any pension under sub-section (1) for the period during which he continues to hold such office or as such member, or is so employed, or continues to be entitled to such remuneration:

Provided that where the salary payable to such person for holding such office or being such member or so employed or the remuneration, referred to in clause (iii) payable to such person, is, in either case, less than the pension payable to him under sub-section (1), such person shall be entitled only to receive the balance as pension under that sub-section.

(3) Where any person entitled to pension under sub-section (1) is also entitled to any pension from the Central Government or any State Government, or any corporation owned or controlled by the Central Government or any State Government, or any local authority under any law or otherwise, then,—

(a) where the amount of pension to which he is entitled under such law or otherwise, is equal to or in excess of that to which he is entitled under sub-section (1), such person shall not be entitled to any pension under that sub-section; and

(b) where the amount of pension to which he is entitled under such law or otherwise, is less than that to which he is entitled under sub-section (1), such person shall be entitled to pension under that sub-section only of an amount which falls short of the amount of pension to which he is otherwise entitled under that sub-section.

(4) In computing the number of years for the purpose of sub-section (1), the period during which a person has served as Minister as defined in the Goa, Daman and Diu Salaries and Allowances of Ministers Act, 1964 or as a Speaker or Deputy Speaker as defined in the Goa, Daman and Diu Salaries and Allowances of the Speaker and Deputy Speaker Act, 1964 shall also be taken into account".

Act 3 of
1965

Act 4 of
1965

6. *Insertion of new section 7A.* — After section 7 of the principal Act, the following section shall be inserted, namely: —

"7A. *Telephone facilities.* — Where telephone facilities are available at the place declared by a Member to be his head-quarters, he shall be entitled to have a telephone at his residence, or at the place where he ordinarily conducts his work relating to the Assembly, subject to the conditions that he shall meet the cost of installation of such telephone in full and that, in regard to the re-

curring charges, the liability of the Government shall be limited to the reimbursement of rental charges for that telephone and charges in respect of a maximum of seven hundred and fifty local calls made from that telephone per quarter including calls, if any, permitted free of charge."

Secretariat,

U. D. SHARMA

Panaji-Goa.

Secretary to the Government
of Goa, Daman and Diu,
Law Department

Dated: 13th September, 1983. (Legal Advice).